

**Comments on Elder Abuse Issues, by James Emmert  
Chairperson of the Elder Abuse Strategy Group.  
Advocates For Senior Issues, Grand Rapids, MI**

**I am here today to point out what we feel are viable changes to several bills that are presently waiting in this House Committee. I hope these suggestions will be given thoughtful consideration in the overall intentions of this meeting.**

**Issue #1: Increasing Penalties on Elder Abuse Crimes.**

**Senate bills 455, 459, 465, and House bills 4337, 4339, and 4340 are all directed towards increasing the present penalties for various acts of exploitation of our vulnerable adults.**

**History shows that most judges rarely hand out maximum sentences for the exploitation of any victims, let alone our vulnerable adult victims. Reasons are many, including lack of jail space, rampant plea bargaining by our prosecutors, lack of available court time and court employees, progressively higher costs of incarceration and lack of responsible funding.**

**Our Elder Abuse Strategy Group would like to see less energy spent on useless penalty enhancements and more effort put towards creating a “Mandatory Minimum Sentence” for each level of abuse. This would provide a reasonable guarantee for the public that all of the abusers found guilty of any abuse would serve at least a justified, responsible, sentence in the forms of jail time, fines, and community service. Therefore, we ask for your consideration on our proposal.**

**Overall goal: To trade unused higher penalties for guaranteed minimum sentences for all those that are continuing to abuse our vulnerable adults.**

## **Issue #2: Paying More Attention to Elder Abuse Abusers.**

**We think a significant drop in elder abuse is possible by simply providing more attention to the Abusers.**

**Family members provide the highest percentage of abuse. The identity of most all abusers is provided, mandated or not, by those people who are thoughtful enough and willing to risk reporting an abuser. Once the report has been substantiated, the golden opportunity for educating the accused abuser, and the abused victim, now exist with face-to-face contact.**

**A team should be created with a Social Worker, a Nurse, a Police Officer, and a person from the Prosecutor's Office. The team would address both the abuser and the abused, focusing mostly on the abuser, in discussing the present circumstances, such as the degrees of punishment, the serious ramifications of having a lifetime felony record, the family and community pressures towards a convicted elder abuse perpetrator.**

**After explaining the seriousness of the situation the team would present the abuser and abused victim with a local Resource Reference-book which identifies available providers who offer a variety of caregiver assistance such as respite care, transportation, delivered meals, and many more options for help. Addresses and phone numbers would be included. Before leaving the team would advise the abuser of a guaranteed return visit, the serious risks of any continued abuse, and if the return visit showed no positive changes, prosecution would be likely.**

**Overall goal: To seize the perfect opportunity to educate both the "abused" and the "abuser" of the seriousness of the act, the potential penalties of the act and to provide education and resource help for both.**

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